

U.S. Department of Interior
Bureau of Land Management
Roseburg District, Oregon

Rone Access

Decision Document

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SECTION 1 – THE DECISION

Decision

It is my decision to authorize implementation of the Proposed Action Alternative as described in the Rone Access Environmental Assessment (EA), Chapter 2, pages 3-4 (EA # OR-104-07-09). The Rone Access will be a 40 foot road, constructed in Section 31 of T. 24 S., R. 03 W. Willamette Meridian, taking off of the 24-3-30.0 road.

Construction of the temporary road will occur on Bureau of Land Management administered lands and will be permitted for the period of three years. This project is on a ridge top within the General Forest Management Area Land Use Allocation.

The Project Design Features that will be implemented as part of the Action Alternative are described on pages 4-6 of the Rone Access EA, as modified by this Decision Document. These project design features will be developed into contract stipulations and will be implemented as part of the construction contract.

This decision is subject to administrative remedy under 43 CFR § 5003.2 and 5003.3.

Updated Information

Since the EA was released, there have been developments and updated information regarding: (1) consultation with the U.S. Fish and Wildlife Service for the northern spotted owl, (2) the Oregon Coast coho salmon, and (3) the Bureau Special Status Species policy.

This updated information, described below, has been considered but does not alter the conclusions of the analysis.

1) Northern Spotted Owl Informal Consultation:

The proposed action will not remove or modify suitable nesting, roosting, foraging, or dispersal habitat for the northern spotted owl. In addition, there are no known nest sites within 65 yards of the proposed action area. Therefore, it has been determined that the proposed action will have *no effect* to the northern spotted owl due to habitat removal/modification or disturbance.

The proposed action will not remove primary constituent elements, change the nature of the stand, or take the 0.8 acres permanently out of forest production (the road will be reclaimed after use) within designated Critical Habitat Unit OR-24. Therefore, it has been determined that the proposed action will have *no effect* to Critical Habitat for the northern spotted owl.

2) Oregon Coast Coho Salmon:

On February 4, 2008 NOAA Fisheries Service announced that it is listing the Oregon coast coho salmon evolutionary significant unit (ESU) as threatened under the Endangered Species Act. This includes the designation of critical habitat

The Swiftwater fisheries staff has determined that this project will have “no effect” because there is no mechanism for an effect to the Oregon Coast coho salmon. The Proposed Action Alternative and its interrelated and interdependent actions will have no direct effects on the Oregon Coast coho salmon and will not destroy or adversely modify designated critical habitat. In addition, project design features will ensure that no indirect effects to coho or their habitat will occur. Since this project is “no effect” further consultation is not required. Furthermore, since there is no mechanism for an adverse effect on the components of Essential Fish Habitat (EFH) the action will not adversely effect EFH for Oregon coast coho (EA, pg. 13.)

3) Bureau Special Status Species Policy:

On July 26, 2007, the Oregon/Washington BLM revised the special status species list and policy in IM-OR-2007-072. Updates to Oregon/Washington special status species include: the removal of the previous categories of Bureau Assessment and Bureau Tracking, the addition of the category of “Strategic Species”, updates to the criteria for the creation of Bureau Sensitive species, and changes to the list of species that are Sensitive or Strategic.

Bureau Sensitive species will continue to be managed in compliance with BLM National Manual and OR/WA State Policy (BLM 6840) as they were prior to IM-OR-2007-072. Policies from BLM 6840 do not apply to Bureau Strategic species (IM-OR-2007-072). For Strategic species, analysis in NEPA documents is not required but if sites are located, field units are required to collect occurrence data and enter into the corporate database (e.g. GeoBOB).

However, there is a phase in for implementation of pre-project clearances for the new species listed as Bureau Sensitive in IM-OR-2007-072. Where pre-project clearances have already been conducted for a project, there are no requirements to conduct pre-project clearances or address the newly added Bureau Sensitive species in NEPA analyses. Since evaluations and clearances for special status species were completed for the EA (June 25, 2007), prior to the release of IM-OR-2007-072, newly added Bureau Sensitive species were not addressed.

Compliance and Monitoring

Compliance with this decision will be ensured by frequent on the ground inspections by the Contracting Officer’s Representative. Monitoring will be conducted as per the direction given in Appendix I of the RMP (pgs. 189-209).

SECTION 2 – THE DECISION RATIONALE

The Project Design Features described in the EA (pgs.4-6) will protect riparian habitat, limit soil erosion and sedimentation, protect slope stability, retain biological legacies for present and future wildlife, prevent and/or control the spread of noxious weeds, protect cultural resources, protect Special Status and SEIS Attention plants and animals, prevent and report accidental spills of hazardous materials, and protect air and water quality. I have reviewed the resource information contained in the EA, which is briefly summarized in Table 1 (below), and the updated information presented in this Decision. This decision recognizes that impacts could occur to some of these resources; however, the impacts to resource values will not exceed those identified in the *Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement* (PRMP/EIS).

Chapter 2 of the EA describes two alternatives: a "No Action" alternative and the "Proposed Action Alternative".

The No Action alternative was not selected because it did not meet the objective (EA, pg. 2) accommodation of a request for a new reciprocal right-of-way agreement with Roseburg Resources Co.

SECTION 3 – PUBLIC INVOLVEMENT

For the Rone Access Facility EA, comments were solicited from affected tribal governments and affected State and local government agencies. No comments were received from these sources. The general public was notified via the *Roseburg District Planning Update* (Winter 2006, Spring 2007, Summer 2007, Fall 2007, and Winter 2007 editions) which was sent to approximately 150 addressees. These addressees consist of members of the public who have expressed interest in Roseburg District BLM projects. In addition, a thirty day public comment period was held for the Rone Access EA from March 11, 2008 through March 18, 2008.

The Swiftwater Field Office received no comments regarding the Rone Access road construction.

SECTION 4 – PROTEST PROCEDURES

The decision described in this document is considered a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR § 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer [Marci L. Todd] within 15 days of the publication date of the notice of decision in *The News-Review*, Roseburg, Oregon.

43 CFR § 5003.3 subsection (b) states that: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail or facsimile protests. Only written and signed hard copies of protests that are delivered to the Roseburg District Office will be accepted. The protest must clearly and concisely state the reasons why the decision is believed to be in error.

Protests received more than 15 days after the first publication of the notice of decision are not timely filed and shall not be considered. Upon timely filing of a protest, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to her. The authorized officer shall, at the conclusion of her review, serve her decision in writing to the protesting party. Upon denial of a protest the authorized officer may proceed with the implementation of the decision.

For further information, contact Marci L. Todd, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97470, 541 440-4931.

Marci L. Todd, Field Manager
Swiftwater Field Office

Date

Table 1. Summary of Effects of the Selected Action Alternative 2.

Context (What?)	Intensity (How Much?)	Reason for not being Significant.
Cultural Resources		
Cultural Resources	The project area has been surveyed (March 2008) but no additional cultural resources were identified.	Implementation of the Proposed Action Alternative will have no effect on historic properties (EA, pg. 6).
Recreation		
Visual Resource Management (VRM)	The project site is in VRM Class IV. Changes should repeat the basic elements of form, line, color, texture, and scale found in the predominant natural features of the characteristic landscape (EA, pg. 23).	The temporary road will allow access for no more than three years, then be subsoiled, water-barred, mulched with logging slash where available or with straw if logging slash is not available, and blocked with a trench barrier (EA, pg. 18).
Wildlife		
Noise/Visual Disruption of Northern Spotted Owl nesting behaviors.	There is one (1) known northern spotted owl site within 1.2 miles of the temporary road site (EA, pg. 8). However, there are no nest sites or activity centers within 65 yards of the project site. Seasonal restrictions (March 1 st – June 30 th) will be applied if future surveys locate a spotted owl nest site within 65 yards of the proposed project area (EA, pg. 8).	No disruptions to spotted owls will occur.
Northern Spotted Owl Habitat.	There is no nesting, roosting, foraging or dispersal habitat within the proposed project area (EA, pg. 8).	There will be <i>no effect</i> to spotted owl habitat (EA, pg. 8).
Critical Habitat for the Northern Spotted Owl.	This project occurs within spotted owl designated Critical Habitat Unit OR-24 (EA, pg. 8). Approximately 0.8 acres of Critical Habitat will be impacted by the proposed road construction.	The proposed project will not remove primary constituent elements, change the nature of the stand, or take the 0.8 acres permanently out of forest habitat production, therefore will be <i>no effect</i> to Critical Habitat for the northern spotted owl (EA, pg. 9).

American Peregrine Falcon	There are currently no known American peregrine falcon roost or nest sites within the project area; however peregrines are expected to forage in the area (Appendix, pgs. 8, 10).	No impact to nesting or foraging habitat for the peregrine falcon (Appendix, pgs. 8, 10).
Fisher	The fisher is suspected to be present within the project area during dispersal activities (Appendix, pgs. 8, 10).	No removal of natal or foraging habitat for the fisher (Appendix, pgs. 8, 10).
Purple Martin	There is no suitable nesting habitat within the proposed project area; however purple martins will be expected to forage over the forest canopy if nesting habitat is located within the watershed (Appendix, pgs. 8, 10).	No impacts to nesting or foraging purple martins (Appendix, pgs. 8, 10).
Townsend's Big-eared Bat & Fringed Myotis (Bureau Sensitive Species)	There are no suitable roosting snags within the proposed project area that will be removed (Appendix, pgs. 8, 10).	No removal of suitable roosting habitat (Appendix, pgs. 8, 10).
Remaining Bureau Sensitive and Bureau Strategic Species	Evaluation of the remaining Bureau Sensitive and Bureau Strategic wildlife species was completed in October 2007 (Appendix, pgs. 8, 10), and no known habitat, sites or concerns were identified (except as discussed above).	No impacts to the remaining Bureau Sensitive and Bureau Strategic wildlife species will occur since there are no known sites within the project area and no impacts to adjacent habitat.

Stream Flow (water yield and peak flow)	The Rone Access has no direct surface connection to Jeffers Creek, and there are no hydrologic features present (EA, pg. 9-10).	There will be no discernable changes to stream flow and no direct or indirect effects to fish populations or aquatic habitat as a result of this project (EA, pg. 9-10).
Stream Temperature	Approximately eleven (11) merchantable trees will be removed for construction of the Rone Access. These trees are not in proximity to Calapooya Creek or Jeffers Creek (EA, pg. 9-10).	Removal of these trees will not result in any measurable change to stream temperature (EA, pg. 9-10).
Sedimentation	The Rone Access has no direct surface connection to Jeffers Creek, and there are no hydrologic features present (EA, pg. 9-10).	Any sediment produced from road construction activities will not reach Jeffers Creek (EA, pg. 9-10).
Landslides	The proposed road construction site is located in a gently sloping ridge top saddle and there are no signs of instability at the site (EA, pg. 11).	There will be no risk of the new road segment causing a landslide (EA, pg. 11).
Soil Productivity	There will be about 0.02 acres of new soil disturbance (EA, pg. 11).	This loss of soil productivity will be inconsequential at watershed scales because of the small area impacted (EA, pg. 11).
Fisheries & Aquatic Habitat	Stream temperature, water quality, and the sediment regime will be unaffected or the effects will be immeasurable (EA, pg. 11-12).	Fish habitat and aquatic species will not be affected (EA, pg. 11-12).
Essential Fish Habitat (EFH) for Coho Salmon and Chinook salmon	There are no mechanisms for an adverse affect to EFH (EA, pg. 13).	The project will not adversely affect EFH for Chinook or coho salmon (EA, pg. 13).
Aquatic Conservation Strategy (ACS)	The Rone Access road will not retard or prevent attainment of ACS objectives (EA, pg. 30-33).	This action is consistent with the ACS, and its objectives at the site and watershed scales (EA, pg. 30-33).

<p>Federally threatened Kincaid's lupine and the federally endangered rough popcorn flower</p>	<p>There is no suitable habitat for the rough popcorn flower (EA Appendix, pg. 16) and surveys (June/July 2007) did not detect Kincaid's lupine (EA, pg. 16).</p>	<p>No impacts to these two federally listed plant species will occur since there are no known sites within the project area.</p>
<p>Bureau Sensitive and Bureau Strategic Species</p>	<p>Surveys were completed in June/July 2007 and no special status botanical species were observed (Appendix, pgs. 16-20).</p>	<p>No impacts to Bureau Sensitive and Bureau Strategic botanical species will occur since there are no known sites within the project area.</p>
<p>Noxious weeds</p>	<p>There are infestations of Himalayan blackberry and Scotchbroom within the project area (EA, pg. 14-15).</p> <p>Construction and use of the Rone Access could introduce additional noxious weed species. Weeds could be introduced through equipment contaminated with weed seed or by exposing disturbed soil for weeds to colonize (EA, pg. 14-15).</p>	<p>Pressure washing equipment will control the spread of noxious weeds in addition to manual removal and/or herbicide application. Noxious weed treatment will follow guidelines in the Roseburg District Integrated Weed Control Plan (EA, pg. 14-15).</p>